

## FILES OF WALKS FOR THOUSANDS IN NEW SECTION

Board of Public Works Approves Bid Involving More Than \$200,000.

MUCH WORK REQUIRED BEFORE WINTER BEGINS

LARGEST PROJECT OF THE KIND EVER UNDERTAKEN BY THE CITY.

**BIDS CONSIDERED.**  
S. Birch & Son Construction company, \$214,420.70.  
Davis & Heuser, \$215,333.33.  
J. W. Mellen, \$265,322.20.  
James Kennedy, \$265,911.11.

At its meeting last evening the board of public works recommended that the contract be let for the largest sidewalk contract ever awarded in this city. James Kennedy, whose company only yesterday filed articles of incorporation, but who has been in the contracting business in Salt Lake for years, was the successful bidder. His offer was the lowest, as will be seen by the figures given at the head of this item.

The board recommended unanimously that the contract be awarded to the lowest bidder, and if the city council, at its meeting on Monday, approves the recommendation, Kennedy may proceed with the work.

### Work for This Fall.

Originally sidewalk extension No. 108 comprised fifty-two miles and a fraction of sidewalk in the district east of Main to Thirtieth East street and south of Ninth South to the city limits. Eliminations and alterations in the plans have reduced the distance to approximately fifty miles. City Engineer Kelsey will at the next council meeting, recommend the elimination of certain portions of the work, and double the council will endorse the recommendation.

When the plans and figures for this work were first prepared, about two years ago, it was estimated that the cost would be \$250,000. Since that time, there have been alterations and changes which have brought the estimates down to \$200,000. It will be seen, therefore, that the contractors who submitted tenders calculated pretty closely.

It was a source of no little speculation as to how close the engineers in Mr. Kelsey's department would come to guessing the amount the successful contractor would offer the linear foot. The assistant engineer put the mark at 67 1/2 cents; the Kennedy bid was 67 1/2 cents.

Fifteen miles of the work are to be completed by the first day of October, 1909.

### Will Require Material.

Experts figure that the entire job will call for fifty thousand cubic yards of concrete. A mixer is capable of turning out approximately one hundred cubic yards a day. It is manifest, therefore, that there will be a vast amount of cement and crushed rock, and plenty of mixing machines required.

The \$200,000 bond must be filed within five days; the \$100,000 certified check was filed with the bid, and is now locked up in the safe.

The city's portion of this work will be \$42,653.90, and the abutting property will have to pay the remainder of the cost.

### The Portion Eliminated.

City Engineer Kelsey recommended the elimination of those sidewalks extending from extension district No. 108: Thirtieth East, Ninth South to Downing, 6,881 feet; Harvard, north side, Ninth East to canal, 1,623 feet; Harvard, both sides, northwest corner lot 60, Ninth East to canal, one block, 3, Park View subdivision of block 17, A, Five-cent plat A to Thirtieth East, 1,814 feet; Tenth South, north side, State to Fifth East, 2,870 feet; Catherine, both sides, from Harvard southward, 926 feet; Verona, both sides, Clyde to city limits, 524 feet; Godley, both sides, north from city limits, 382 feet; Downing, north side, east from Elvengrove, 502 feet; total, 14,238.45 feet, or approximately two and three-quarter miles. The eliminated portion would cost about \$100,000.

### Hundreds of Miles of Walks.

During the informal discussion which took place during the consideration of the bids and the talk incident to sidewalk extensions generally, it developed that during the last three years ninety miles of sidewalks have been laid. The fifty miles to be added within the next year will bring that up to a total of a hundred and forty miles, and there are two more big projects "on the fire." These are extension district No. 128, in the southwestern portion of the city, comprising 22 1/2 miles. These, when completed, will bring the total of sidewalks in Salt Lake up to approximately 200 miles.

### Estimates Are Allowed.

A number of estimates were favorably commented by the board last night. The principal items are: Fourth partial estimate of P. J. Moran, paving district No. 24, \$18,553.50; Davis & Heuser, sewer extension No. 138, \$11,671.70.

The board will meet again a week hence, Friday, Oct. 2.

### Piano Hauling Specialists.

Clayton-Daynes Music Co., 109-113 Main st. Both phones 154.

## Open Every Saturday Night

For the convenience of depositors the Savings Department is open from 6:30 to 8:30 o'clock p. m.

The Safe Deposit Department is open from 8:30 a. m. to 8:30 p. m.

**Salt Lake Security & Trust Company**  
34 Up. Main Street.

## WYOMING COAL STRIKE SETTLED

Word Comes When Supply in Local Yards Is Practically Exhausted.

After being idle for over a month, the coal miners of Wyoming have decided to go back to work. This information was received yesterday by Arthur J. Gennell, agent for the Central Coal & Coke company. The news that the miners have gone back to work has shifted a heavy load from the shoulders of both the dealer and consumer.

The mines at Kemmerer and Glenwood have already opened and will be running their full capacity within a few days. The mines at Rock Springs and Hanna will open in the next few days, it is said. The fact that the union allowed a certain number of men to remain at work when the strike was declared has given the operators an opportunity to keep the mines free from water. This means that the men can go to work immediately digging coal, and shipments of Wyoming coal will be en route to Salt Lake and other points before many days have passed.

The terms on which the strike was settled have not yet been made public, as the conference between the operators and the union are not over.

During the strike in the Wyoming coal fields, Utah and especially this city were supplied with coal from mines within the state.

The progress of the Wyoming strike the Utah Fuel company operated its mines to their full capacity. The shipments of the broken leg, together with those of the Independent Coal company, went a long way toward preventing a shortage in this city.

The next few days will see heavy shipments of coal arriving and a plentiful supply for the winter is now assured. The settlement of the strike came just in time, as the bins of the local dealers were low, and the supply coming in was insufficient to make it possible to store any great amount.

## LOCAL BRIEFS

**AN ACTION** for \$10,000 for personal injuries was brought in the district court yesterday by Frank Gilmore against the Boston Consolidated Mining company. Gilmore says that while he was working as a timberman in the company's mine at Bingham on July 16, a cave-in occurred, partially burying him. He suffered a broken leg and shoulder blade, and was otherwise seriously and, he says, permanently injured.

**THE CITY** yesterday filed its answer in the action for damages brought by Caroline Larson against the city. The complaint alleged that the city was responsible for damages to her property on Center street by reason of the grade. The city says the plaintiff brought suit to recover because the property was benefited rather than damaged and that she is stopped from bringing action because of the statute of limitations. The defendant says the plaintiff did not make complaint nor present her claim at the proper time.

**THE OFFICERS** and men at Fort Douglas last night at the post were out for a night of fun. A battalion went out for purposes of attack and the city was the target of the attack. The city was the target of the attack. The city was the target of the attack.

**THE FOLLOWING** delegates to the Sixteenth National Irrigation congress, from Utah, left Friday for Albuquerque, N. M.: J. D. Wadley and R. D. Wadley, Pleasant Grove, W. O. Knudsen, Bingham City, and J. T. Atkins, St. George.

**JUDGE GEORGE G. ARMSTRONG** will hold court in Tootle county for several days.

**C. H. BANKS**, the newly appointed justice of the peace of Murray went into office yesterday and presided at the case of Tony Perlich, charged with assault and battery on the person of Sydney Hawkins, a foreman at the American smelter. He gave Perlich a severe reprimand and fined him \$5, which the Austrian paid.

**THE POLICE** were asked last night to assist in finding little Thomas Thacker, a six-year-old son of J. Thacker, No. 639 West First North street, who strayed from his home. He was playing in the neighborhood of the city limits, and was with some other boys and all efforts by his parents and friends to locate him were unavailing up to a late hour.

**LATEST** reports from St. Mark's hospital in regard to the condition of Miss Nita Gerber, whose left leg was amputated Thursday, give the information that she has taken a turn for the worse and is in an extremely critical state.

**MISS GERBER** was formerly a school teacher at the city school, and the amputation of her left leg was necessary by a burning accident, in which she figured nearly two years ago.

**M'KEAN POST** G. A. R. will hold an important business meeting this evening.

## JEWS OBSERVE NEW YEAR

Service Held Last Evening in Temple B'nai Israel—Significance of Day.

Today is the Jewish New Year, known to the Jews as Rosh Hashanah, the first day of Tishri, the seventh month in the calendar of the Israelites. The day began at sunset yesterday and will continue until sunset this evening. Today every business house in the city owned by Jews will be closed. The orthodox Jews observe the New Year for two days, while the more liberal Jews celebrate but one. The day is one of holiness to the Jews and according to their reckoning this is the year 5668.

The holiday with the Jewish people today is entirely religious in character and is the day of forgiveness of all wrongs. Today all the Jews are happy; it is a day of the exchanging of gifts and the dawning of new rain. The services in the church of the orthodox Jews is in the Hebrew tongue. In the Temple B'nai Israel, the reformed church, the services are in English.

The first service of the day was held last evening at the Temple B'nai Israel, where Rabbi Freund delivered an excellent sermon. He took for his subject, "Is Time a Tomb-Builder?" The music for the evening was furnished by a quartet consisting of Mrs. Henry Hamann, Miss Edna Dwyer, Charles Kent and Robert H. Slidoway. In the course of his sermon Rabbi Freund said:

"To us in this country and also in other lands the closing year has been most joyful. It has been free from the horror and sorrow so prominent in the years gone by and our people have lived a year in peace and quiet. In this great land of freedom, fortune has smiled on many and this day is indeed a happy one."

New Year's day services will be held this morning at 10 o'clock in the Temple B'nai Israel. The annual memorial service has been postponed one week and will be held Monday, Oct. 5, at the Temple B'nai Israel.

The Oasis Daylight Special Train Leaves on Salt Lake Route at 7 a. m., Monday, Sept. 28. Returning same night after Carver at 10 o'clock in the Temple B'nai Israel. Information Salt Lake Route, 169 Main street.

## WHAT NEW PLAN MEANS FOR CITY

Is Designed to Secure Revenue From Both Telephone Companies.

PLACED ON ONE BASIS GIVES OPTION AS TO METHOD OF PAYMENT.

After holding the matter in abeyance for the purpose of investigation, Mayor John S. Bransford yesterday approved the action of the council Monday night rescinding the existing contract between the city and the Bell Telephone company, which provides that the city shall have the right to purchase the franchise in lieu of a license tax. A new ordinance was introduced last Monday providing that the city shall have fifty free telephones and shall receive 1 per cent of the gross earnings of the company. The ordinance will come up next Monday evening.

Definite action on the telephone matter, which has had much of the attention of the city council since early in the year, is expected to be taken at Monday night's meeting, when the new proposition, presented last Monday and laid over for a week, will come up for consideration.

The suggestion that the city enforce the collection in cash of the tax on telephones was made last spring. The ordinance on the point provides that the city shall be \$1 a year on each telephone renting for \$60 a year, and 50 cents on each telephone renting for less than \$60 a year. The Independent company has paid no license tax, but has been giving the city about fifty free telephones and paying 1 per cent of its gross earnings to the city, according to the terms of its franchise. The Bell company is paying no license tax, but has been giving telephone service to the city, under a contract made with the city about four years ago.

Several interesting questions have arisen in connection with the relations between the telephone companies and the city as a result of the discussion. One point was that the Bell company did not have a franchise, although the company has maintained from the first that it has a valid franchise and the city attorney's office has held that the company has rights amounting to the same thing as a franchise, because the city has recognized the company's right to do business here for many years. The city attorney's office has held, also, that no back license can be collected from the Bell company, as the contract with the city prevented that. The council rescinded Monday to rescind this contract Sept. 20.

The telephone companies have questioned the constitutionality of the license tax as applied to telephone companies, a point on which legal opinions differ. Several propositions in the nature of compromise have been offered, but none has been accepted by the council. These generally took the line of granting the Bell company a franchise to exist when the company's corporate existence ends in 1933, but required the company to pay 1 per cent of its gross earnings into the city treasury and to furnish free telephones to the city. The last of these was offered by Councilman Fernstrom Sept. 14. It was referred to committee and pigeonholed.

### What Amendment Proposes.

The latest phase of the question has the form of amendment of the existing general ordinances, and does not go into the matter of franchise or recognize any company specifically. It makes it optional with telephone companies to pay in cash the tax now provided by ordinance, or to furnish the city fifty free telephones and pay 1 per cent of gross earnings to the city. This would not change the present arrangement as far as the Independent company is concerned. In the case of the Bell company, it would mean telephone service, valued at \$5,000 a year and about \$2,500 a year in cash, a total of \$6,400. The amount to be derived from the Bell company under the present ordinance would be approximately \$4,000. The amendment in favor of the new arrangement of \$2,400, as the city would naturally be required to pay cash for its Bell telephone service with the present contract rescinded and the company paying the license tax in cash, assuming that the constitutionality of the tax were established.

The cash payments by the companies under the new arrangement of service, would vary as the volume of telephone business in the city varied. The city would have access to the books of the companies and would thus be able to tell accurately the amounts to be paid.

Our carpet cleaning is absolutely perfect.

NATIONAL HOUSE CLEANING CO.

## Cooler Now

Better candy weather. We received Thursday a shipment of

**Allgretti's Chocolate**

Order by phone if you wish.

**SCHRAMM'S**  
"WHERE THE CARS STOP"

Substation No. 4.

For sale by F. C. Schramm, drugist, corner First South and Main streets, "Where the cars stop."

## CANNED CORN IS SHY IN WEIGHT

Deputy Marshal Smyth Seizes 960 Cases in Ogden Warehouse.

Acting under instructions from Washington, D. C., 960 cases of canned corn, stored in the warehouse of Fred J. Kiesel & Co. at Ogden were confiscated Thursday by United States Deputy Marshal Smyth. The action is the result of an inspection of the product recently made by a United States pure food inspector, who discovered that the cans, which were supposed to contain two pounds of corn, contained but one and one-half pounds. The cases were labeled, "Two dozen two-pound cans," and should have weighed fifty-two pounds, including the cases. Every case was weighed and found to be ten pounds short.

The corn was packed by the Audubon Canning company at Audubon, Ia., which firm will have to answer to the government. Fred J. Kiesel & Co. are in no way liable, as they bought the corn with the understanding that each can contained two pounds. Deputy Smyth weighed every case and each was found to be ten pounds short. This is a direct violation of the pure food laws, and as the corn was canned outside of Utah it comes under the jurisdiction of the United States officials. The United States inspectors also found several hundred cases of fruit and vegetables canned at Utah canneries, which were short in weight. It is impossible for the government officers to confiscate these products, as they do not come under the interstate commerce law while the goods are in this state. Should the products be found outside of Utah it will be immediately declared contraband and seized by the United States officers.

## VICTIM PURSUES MAN WHO STABBED HIM

Cutting Affair on Main Street in Murray Witnessed by Scores of Persons.

In a stabbing affray at Murray last night, Jim Disorio, an Italian, received a vicious stab in the neck with a pocket-knife in the hands of Dominio Trapa, another Italian. Trapa took to his heels and up to this hour has not been apprehended. The stabbing took place on State street and was witnessed by scores of persons.

Trapa met Disorio on the street at about 6 o'clock and accused him of paying improper attention to his wife. Disorio denied, when, without a moment's warning, Trapa drew his pocket-knife and plunged it into Disorio's neck. Disorio, who was carrying a bag of peaches, threw the peaches away and clapped the pocket-knife over his head, and immediately gave chase, but Trapa easily eluded him and his other pursuers. It is believed that Trapa is being hidden by his countrymen.

Dr. Ferrebee dressed Disorio's wound and found that the knife had penetrated about an inch in the fleshy part of his neck. He bled considerably, and as yet it is not known whether the wound will prove serious. Marshal Mauss and his deputies are making a thorough search in the Italian colony here in the hope of apprehending Trapa.

### FUNERAL OF C. E. SNELL.

Funeral services for Cyrus Edison Snell will be held at the residence of his parents, Mr. and Mrs. George D. Snell, 96 Lincoln avenue, at 2:30 o'clock this afternoon. Following is the musical program:

Abide with Me, Miss Messrs. Graham and Christopherson. Nevin.

"O, My Father," Quartet.

"Rest, Rest to the Weary Soul," Quartet.

"The Church Bells," Accompanied.

"I Know That My Redeemer Liveth," Quartet.

Mrs. Lizzie Thomas Edward.

Friends may view the remains of Mr. Snell at the residence of his parents, 96 Lincoln avenue, between 1 and 2 o'clock today.

Trains at 2-4-6-8 Saltair today.

**Piano Tuning.**  
Clayton-Daynes Music Co., Three experts; regular prices. 109-113 Main.

Trains 2-4-6-8 Saltair today, fare 25c. Grand ball tonight. Held's band.

## A GOOD STOMACH

Means Blood Health, Cheerfulness, Ambition, Persistency and Success.

Relief is not cure; opium will stop the most excruciating pain, but it won't cure the disease.

And it's just the same with alleged dyspepsia cures which contain opium. The opium will help to digest the food, but the stomach is left in worse condition than it was before.

You don't want opium to digest your food; you want the natural juices of your stomach to digest your food. If you have dyspepsia, or any stomach trouble, you want to make your stomach so strong that it will digest its own food.

You can make your stomach so strong that you can eat what you want and all you want any time you want it, without distress.

Mi-o-na will cure your dyspepsia or any other stomach trouble by building up the flabby walls, and making the stomach so strong that it will digest food without artificial aid.

In other words, Mi-o-na cures dyspepsia by removing the cause.

F. C. Schramm is the agent for Mi-o-na in Salt Lake, and he says to every reader of the Herald whose stomach is weak, who has indigestion or dyspepsia, that Mi-o-na is guaranteed to cure or money back.

The price is only 50 cents a box, and one box is all you need to prove that you are on the right road to health and happiness.

"I can say enough for Mi-o-na tablets; they have done more for me in one week than all the doctors have for the two years I have been under their care, and I can't say enough to recommend it to my friends. You can also use my name in your ad. If you like for Mi-o-na is better than gold to me. I am like a new man, and am able to work once more for the first time in over a year."—W. L. Ennis, 328 Green St., Syracuse, N. Y.

For sale by F. C. Schramm, drugist, corner First South and Main streets, "Where the cars stop."

## POTTER SPEEDS ALL FOR LIQUOR

None of His Earnings Wasted in Buying Food for His Children.

WIFE SECURES A DIVORCE OTHER CASES HEARD AT THE FRIDAY MATINEE.

Mrs. Sarah J. Potter proved to the satisfaction of Judge Morse yesterday that her husband is no ordinary drunkard, but a most extraordinary one. Mrs. Potter said that she was often without food for herself or the children. Mrs. Potter proved that her husband spent all of his earnings for liquor, his capacity being limited only by his ability to pay.

It appeared also that Potter and Mrs. Potter's father played a highly interesting game of tennis, with Mrs. Potter taking the part of the ball always in play. Potter sent Mrs. Potter back to her father, but the father immediately shot her back to Potter. Four times she was thus sent back and forth.

She was granted her divorce and the custody of two children, both of whom are girls. They were married at Price, Carbon county, Aug. 8, 1904.

The divorce case of Arthur T. Swick against his wife, Lena T. Swick, was continued one week in order that depositions might be taken in Lockport, N. Y., where the couple were married June 7, 1902, and where Mrs. Swick remains with the three children.

Swick testified that his wife refused to remain at home and perform the duties of a good housewife, and one day, when Swick returned home from work he found the house locked and the wife gone back to mother. There were numerous quarrels.

Judge Morse yesterday signed a decree of divorce in the action of Nellie Kirby against Henry J. Kirby. The couple were married in Salt Lake, May 19, 1902. Deserion was proved. There was no defense. Mrs. Kirby was in the possession of the household furniture, carpets and like. The plaintiff's maiden name of Nellie Hunter was restored.

Hildegard Virginia Holland brought action for divorce against John William Holland in the district court yesterday. The complaint alleges that Holland is an habitual drunkard and that he has disregarded his marriage vows. The two were married at Brigham City, Oct. 25, 1894. There are four children. The wife asks the custody of the children and \$50 a month alimony.

Suit for divorce was filed yesterday by Gertrude A. Freeman against Thomas Freeman. They were married in Salt Lake, Dec. 3, 1903. Failure to provide is the ground set forth. There are two children, whose custody the wife asks.

**MARTIN FOUND GUILTY BUT ESCAPES SENTENCE**  
Judge Diehl Neglected the Little Formality of Requiring Prisoner to Plead.

After one of the most prolonged legal battles ever held in the city court, Councilman L. D. Martin, charged with using abusive language toward Charles Crane, a prominent business man, was found guilty by Judge Diehl yesterday. No sentence could be enforced, because his attorneys scored an unexpected triumph when they revealed that he had been tried without having entered his plea to the charge.

It was one of the most surprising endings to a police court case. Attorneys Joseph Lippman and S. P. Armstrong, representing Martin, caused a distinct sensation when they halted the sentence which Judge Diehl was about to impose, and showed by the statutes that Martin could not be sentenced. They showed by the court record that Martin had never pleaded his guilt or innocence.

That a trial could be conducted in the police court without the defendant first having pleaded amazed everybody. All efforts by City Prosecutor Rogers, who was pushing the prosecution, to show a different state of facts were unavailing, and Martin, though found guilty, escaped sentence because of the technicality flashed by his attorneys.

The trouble between Martin and Crane occurred on the bond election day, July 23, and the complaint was sworn out two days later by Crane. Aug. 1. The case has been drifting along ever since, having been in court several times before the final, though extremely peculiar, settlement of it was made yesterday.

Our carpet cleaning is guaranteed.

NATIONAL HOUSE CLEANING CO.

Call at the California Bungalow office and see those disappearing beds.

322-223 Judge building.

## McDonald's Merry Widow chocolates have caught the popular taste.

The family of the late Mrs. Eliza Grace wish to express sincere thanks to their many friends for the sympathy expressed and kindness shown during their recent bereavement.

**Get a Home**  
In Our Sunland. It will sweeten and illuminate your work-a-day world and give you an uplift in the broader freedom of action which comes with life in the open. Remember Oasis, Utah, Sept. 28.

**S. D. Evans,**  
Undertaker and embalmer, removed to new location, 48 South State street.

**McDonald's Salt Lake**  
Cocoa for breakfast?

## Pretty Little Reefers

in all sorts of plain and fancy goods, are among the attractions in our Boys' Department today. Light and medium weights. Sizes 3 to 12 years—

**\$4.00 to \$15.00**

Lots of nice, warm suits for boys of all sizes here, too.

Agency for M. C. Lilley H. S. Cadet Uniforms.



**U. of U. Girls all know good candy. That's why the boys are careful to buy the pretty purple box of**

**H. S. Girls Sweet's Society-Chocolates**

**QUALITY FLAVOR PURITY**

**WHY DONT YOU PUT SOMETHING AWAY FOR WINTER?**

**ITS SAFE IN THE BANK**

**SQUIRRELS** gather nuts in the Fall when there ARE nuts, and put them away and save them for the Winter. You must save your money when you are MAKING MONEY and have money. A Winter may come to you sooner than you think. Your money will grow in our bank, too. We'll pay 4 per cent interest on the money you deposit with us and compound the interest every six months.

**Utah Savings & Trust Company**  
No. 235 Main Street, Salt Lake City, Utah. In the Business Heart.

**DOG SENTENCED TO DEATH**

Arthur Solomon's Canine Is Too Fond of the Neighbors' Chickens.

Arthur Solomon, charged with keeping a mischievous dog, was found guilty by Judge Diehl and it was ordered that the police see that his dog does not wring the neck of any more chickens. The canine will be shot just as soon as a bullet can be planted in him.

Alexander Stott furnished the cause of the trouble. Stott, who is a neighbor, had thirteen of his chickens put out of commission by a "black and white dog."

Two other neighbors testified that said black and white dog was continually on a chicken hunt.

The trouble has been the chief topic of amusement and excitement in the neighborhood for a long time. Whenever any chickens roamed around loose it was alleged that the black and white dog saw to it that their stroll was of extremely short duration.

Charles Renick, former messenger boy, was tried for petty larceny and held in \$100 bail for a continued hearing. It was alleged that he tried to get away with over \$2 in change which Gus Holm laid on a saloon bar to pay for drinks. Renick, who pleaded not guilty, was given until today's session to produce four witnesses in his behalf.

**Card of Thanks.**